

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND**

UNITED STATES OF AMERICA
Plaintiff

-against-

\$11,259 in U.S. CURRENCY,
Defendant

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Civil Action No.

: : : : : :

VERIFIED COMPLAINT FOR FORFEITURE

Plaintiff, United States of America, by its attorneys, Rod Rosenstein, United States Attorney for the District of Maryland, and Evan T. Shea, Assistant United States Attorney, brings this complaint and alleges as follows in accordance with Supplemental Rule G(2) of the Federal Rules of Civil Procedure:

NATURE OF THE ACTION

1. This is a civil forfeiture action against U.S. currency which was furnished or intended to be furnished in exchange for a controlled substance or listed chemical, or constituted proceeds traceable to an exchange of controlled substances or moneys used to facilitate a violation of 21 U.S.C. § 841, and therefore should be forfeited to the United States of America pursuant to 21 U.S.C. §881(a)(6).

THE DEFENDANTS IN REM

2. The defendant property consists of \$11,259 in U.S. Currency (hereinafter, the "Defendant Property").

3. The Defendant Property was seized on March 1, 2012 during the execution of a search and seizure warrant at 331 Munahan Circle Unit B, Indian Head, Maryland.

JURISDICTION AND VENUE

4. Plaintiff brings this action *in rem* in its own right to forfeit and condemn the Defendant Property. This Court has jurisdiction over an action commenced by the United States under 28 U.S.C. § 1345, over an action for forfeiture under 28 U.S.C. § 1355(a), and over this particular action under 21 U.S.C. §881.

5. This Court has *in rem* jurisdiction over the Defendant Property under 28 U.S.C. § 1355(b).

6. Venue is proper in this district pursuant to 28 U.S.C. § 1395 because the property is located in this district and because the criminal conduct giving rise to the forfeiture took place in this district.

BASIS FOR FORFEITURE

7. The defendant property is subject to forfeiture pursuant to 21 U.S.C. §881(a)(6) because it constitutes: (1) money, negotiable instruments, securities and other things of value furnished and intended to be furnished in exchange for a controlled substance in violation of the Controlled Substances Act; (2) proceeds traceable to such an exchange; and (3) money, negotiable instruments, and securities used and intended to be used to facilitate a violation of the Controlled Substances Act.

FACTS

8. The forfeiture is based upon, but not limited to, the following evidence:

9. On March 1, 2012, members of the United States Marshals Service United States Capital Area Fugitive Task Force and the Charles County, Maryland Sheriff's Office executed a search and seizure warrant issued by Judge Amy Bragunier of the Circuit Court for Charles County, Maryland at 331 Munahan Circle Unit B, Indian Head, Maryland.

10. Simultaneously, the United States Capital Area Fugitive Task Force executed an arrest warrant at that location for Murphy.

11. During the search, the Charles County Sheriff's office had a narcotics detection K-9 scan the house.

12. The K-9 alerted next to the nightstand in one of the bedrooms in the residence, indicating that the K-9 detected the odor of narcotics in that nightstand.

13. A search of the nightstand revealed a quantity of U.S. currency later revealed to be the defendant property, \$11,259.00.

14. Additionally, a search of the residence resulted in the recovery of a glass hookah and the identification of a white powdery substance suspected to be cocaine residue.

15. Finally, during the search, law enforcement recovered documents and envelopes containing notations consistent with a "pay/owe" listing, which recorded how much drug purchasers had paid, and how much they owed with respect to drug transactions.

16. Law enforcement searched relevant databases and determined that Murphy was unemployed at the time of the search.

WHEREFORE, the plaintiff prays as follows:

1. That any person or persons having any interest therein be cited to appear herein and answer the Complaint;
2. That a Warrant of Arrest *in rem* issue to the United States Marshal commanding the arrest of the defendant property;
3. That Judgment of Forfeiture be decreed against the defendant property;
4. That upon Final Decree of Forfeiture, the United States Marshal dispose of the defendant property according to law; and

5. That the plaintiff has such other and further relief as the case may require.

Respectfully submitted,

Rod J. Rosenstein
United States Attorney

8/11/2014

Date

ET. Shea

Evan T. Shea
Assistant United States Attorney
36 S. Charles Street
Fourth floor
Baltimore, Maryland 21201
Telephone (410) 209-4800

VERIFICATION

I, Peter Ott, declare under penalty of perjury as provided by 28 U.S.C. § 1746, that the facts in paragraphs 9 through 16 of the foregoing Verified Complaint for Forfeiture are based on reports and information furnished to me by the Drug Enforcement Administration and that everything contained therein is true and correct to the best of my knowledge and belief.

8/8/2014
Date

Peter A. Ott, SIA
Peter Ott
Special Agent
Drug Enforcement Administration

VERIFICATION

I, Evan T. Shea, declare under penalty of perjury as provided by 28 U.S.C. § 1746, that paragraphs 1 through 8 of the foregoing Verified Complaint for Forfeiture are based on reports and information furnished to me by Drug Enforcement Administration, and that everything contained therein is true and correct to the best of my knowledge and belief.

8/11/2014

Date

Evan T. Shea

Evan T. Shea

Assistant United States Attorney

MEMORANDUM

DATE: August 11, 2014

TO: Kristine Cupp
U.S. Marshal Service

FROM: Naquita C. Ervin
Paralegal Specialist
U.S. Attorney's Office - District of Maryland

RE: **U.S. v. \$11,259 U.S. CURRENCY**

Civil Action No.

CATS ID 12-DEA-563825
Agency Case No. - GD-12-0192

The United States has filed a forfeiture action against **\$11,259 U.S. CURRENCY**. A copy of the Complaint for Forfeiture is attached.

Notice of this seizure will be published at www.forfeiture.gov pursuant to Rule G of the Supplemental Rules for Admiralty or Maritime and Asset Forfeiture Claims.

Thank you.

Attachment

PLAINTIFF UNITED STATES OF AMERICA	COURT CASE NUMBER
\$11,259 in U.S. Currency	TYPE OF PROCESS Verified Complaint in Rem

SERVE AT	NAME OF INDIVIDUAL, COMPANY, CORPORATION, ETC. TO SERVE OR DESCRIPTION OF PROPERTY TO SEIZE OR CONDEMN
	GD-12-0192 / 12-DEA-563825
	ADDRESS (Street or RFD, Apartment No., City, State, and ZIP Code)

SEND NOTICE OF SERVICE TO REQUESTER AT NAME AND ADDRESS BELOW:	Number of process to be served with this Form - 285	
Naquita C. Ervin, Paralegal Specialist U.S. Attorney's Office 36 S. Charles Street, 4th floor Baltimore, Maryland 21201	Number of parties to be served in this case	
	Check for service on U.S.A.	

SPECIAL INSTRUCTIONS OR OTHER INFORMATION THAT WILL ASSIST IN EXPEDITING SERVICE (Include Business and Alternate Address, All Telephone Numbers, and Estimated Times Available For Service)

Post Notice on property premises. Fill in the date of arrest in this process receipt and return our copy.

Signature of Attorney or other Originator requesting service on behalf of: 	<input checked="" type="checkbox"/> PLAINTIFF <input type="checkbox"/> DEFENDANT	TELEPHONE NUMBER 410-209-4800	DATE 8/11/14
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SPACE BELOW FOR USE OF U.S. MARSHAL ONLY - DO NOT WRITE BELOW THIS LINE

I acknowledge receipt for the total number of process indicated. (Sign only first USM 285 if more than one USM 285 is submitted)	Total Process No. _____	District of Origin No. _____	District to Serve No. _____	Signature of Authorized USMS Deputy or Clerk _____	Date _____
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I hereby certify and return that I ☐ have personally served, ☐ have legal evidence of service, ☐ have executed as shown in "Remarks", the process described on the individual, company, corporation, etc. at the address shown above or on the individual, company, corporation, etc., shown at the address inserted below.

☐ I hereby certify and return that I am unable to locate the individual, company, corporation, etc., named above (See remarks below).

Name and title of individual served (If not shown above).	<input type="checkbox"/> A person of suitable age and discretion then residing in the defendant's usual place of abode.	
Address (complete only if different than shown above)	Date of Service _____	Time am pm
	Signature of U.S. Marshal or Deputy _____	

Service Fee	Total Mileage Charges (including endeavors)	Forwarding Fee	Total Charges	Advance Deposits	Amount Owed to US Marshal or	Amount or Refund
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REMARKS:

PRIOR EDITIONS MAY
BE USED

SEND ORIGINAL + 2 COPIES to USMS.

FORM USM 285 (Rev. 12/15/80)

1. CLERK OF COURT 2. USMS Record 3. Notice of Service 4. Billing Statement 5. Acknowledgment of Receipt